

Animal Welfare Task Force

Meeting Minutes

Friday, January 18, 2013

2:00 p.m.

Buena Vista Conference Center – Buck Library

Task Force Members Present:

Senator Patricia Blevins (Chair), Delaware State Senate
Senator Karen Peterson, Delaware State Senate
Representative Earl Jaques, Delaware House of Representatives
Mr. Andy Lippstone, Office of the Governor
Ms. Hetti Brown, Public Member
Ms. Jennifer Ranji, Public Member
Ms. Kathy Gallagher, Public Member
Dr. Caroline Hughes, Public Member
Dr. Morgan Dawkins, DE Veterinary Medical Association
Mr. Hal Godwin, Sussex County Council
Mr. Michael Petit de Mange, Kent County Levy Court
Mr. Verne Smith, Widener University School of Law
Mr. Patrick Carroll, Delaware Humane Association
Ms. Jane Pierantozzi, Faithful Friends Animal Society
Mr. Kevin Usilton, Kent County SPCA

Staff Present:

Carling Ryan, Delaware State Senate
Rachel Linstead Goldsmith, Legislative Fellow

Public Attendees:

Will Goma, Alley Cat Allies
Becky Robinson, Alley Cat Allies
Lisa Smith, Tri-State Bird Rescue
Hilary Taylor, Delaware Wildlife Rehabilitative Associations (Bear Station)
Rudy Hughes, Safe Haven Animal Sanctuary
Lois Fargo, Safe Haven Animal Sanctuary
Christina Motoyoshi, Delaware SPCA
Mark Martell, Delaware Audubon Society
Peter Siracuse
Carol Pizzillo
Diane Marks
Anita Wollison
Cathy Samardza
Crystal Sweeney
Lynn Lofthouse
Carol Furr
Cheryl Heiks
Sherene Lindo
Donna Watson

The meeting was called to order at 2:06 p.m.

Senator Blevins asked Task Force members and public attendees to introduce themselves.

1. Meeting minutes approval - December 13, 2012

Senator Blevins noted that the December meeting minutes were sent via email a week prior, and asked for any proposed changes. When no changes were requested, Senator Peterson made a motion to adopt the minutes as official, and the motion was seconded. All were in favor, none were opposed.

Senator Blevins then introduced the topic for the meeting, noting the task force would exclusively discuss cats. She stated that the meeting would start with a presentation from Task Force member Mr. Verne Smith.

2. Presentation by Mr. Verne Smith

Mr. Smith introduced himself, noting that he is a Professor and Assistant Dean of Business and Administration at Widener University School of Law and has been teaching animal law for about ten years. He also chairs the Animal Law Committee of the Pennsylvania Bar Association.

Mr. Smith noted that the information he would be presenting was based on a law review article he distributed 3-4 weeks ago. Mr. Smith then started his presentation with emerging cat law that states and jurisdictions are starting to recognize. While all states have a specific dog law, there are only three states Dr. Smith knows of with comprehensive cat laws.

Mr. Smith stated that there is also a striking difference in the treatment of dogs and cats in the shelters. Dogs and cats have significantly different euthanasia rates. While the rate for dogs is approximately 50%, it is 70% for cats. The reclaim rate for cats is also much lower. There are many different categories of cats including owned, stray, feral or community, and wildlife, however, they all belong to the same species.

1. Of owned domesticated cats, it has been estimated that 85 million cats are owned in the United States; if this is true, then they outnumber dogs.
2. Stray cats may be intentionally abandoned, even if it is a crime (as it is in Delaware); people may think these cats can fend for themselves. Cats may be lost, though they do have an incredible honing ability, and they may become feral over time.
3. Mr. Smith noted that feral cats may pose the most problems for jurisdictions. True feral cats are un-owned, un-socialized and were born outdoors. These are called community cats because there are often a number of people who are bonded by their care for these cats, but the cats are un-owned in the legal sense.
4. A fourth category used in states such as Minnesota and South Dakota is "wildlife," permitting feral cats to be hunted as vermin and pests.

Mr. Smith stated that cats are explicitly not considered wildlife in Delaware (DNREC, Title 7, 800, 2). Cats are specifically not included as domestic animals in the Dangerous Dog Statute (Title 9, 920, 5); if a dog injures a human, livestock or another dog, that dog can be declared dangerous, but not if it harms a cat. Feral cats and

feral cat caretakers are both specifically defined in the Spay/Neuter law (Title 3, 8217, g, h). The statute specifies the use of Trap-Neuter-Release (TNR) as well.

Many feral cats are similar to housecats in behavior. Mr. Smith believes there will always be feral cats to some degree, and the question for policy-makers becomes “what is the most effective and humane approach?” Mr. Smith described a pyramid which showed the potential growth of feral cat communities over a number of years and the need to intervene; Delaware’s Spay/Neuter law facilitates this intervention.

Highlighting three major feral cat issues, Dr. Smith reviewed the following:

1. *Population* - The large population, estimated from 10-82 million in the United States, is a major issue. One way to try to estimate the feral cat population in Delaware would be to take the national population, take 3/10 of 1%, which is Delaware’s proportion of the national population, and it may follow that Delaware would have 3/10 of 1% of the estimated feral cat population. This would estimate 250,000 feral cats in Delaware. While this is a hypothetical figure, there is a great need to address the homeless cat population.
2. *Species Predation* - This issue asserts that cat attacks on birds and other species negatively impact those species’ populations, and that cat attacks are a significant contributor to the loss of song bird populations. One perspective on this is the article distributed through the group called “Critical Assessment of Claims Regarding Management of Feral Cats by Trap-Neuter-Release” by Travis Longcore, Catherine Rich and Laruen Sullivan. A critique of this study has also been provided, titled “Reassessment” by Peter J. Wolf.
3. *Public Health* - Like any animal, feral cats transmit disease. Feral cats taken care of by caretakers as defined in the Delaware Code are vaccinated, so if managed, they contribute to a vaccination barrier to prevent the transmission of disease. This is why many people view TNR as the best approach.

Mr. Smith asserted that Animal Control in Delaware and around the country mainly focuses on dogs but increasingly is addressing calls about cats. Issues between property owners and caretakers are arising as well. There are two main approaches.

1. One approach is to roundup cats, take them to the shelter and euthanize, or “Trap and Kill.” The main disadvantage of extermination is that it is not effective in reducing the cat population. Removal creates a “vacuum effect” in which the area fills up with cats again, as the resources of the area will still be attractive to cats, and because cats are prolific breeders. It is also expensive for Animal Control to capture the cats, at \$80-100 per cat. It is estimated that there are 80 million feral cats, which means it would cost \$8 billion. Also, it is unpopular with the public.
2. Trap-Neuter-Return (TNR) is the second main approach. TNR humanely reduces the population through sterilization and adoption. Advantages to this approach are that it works through attrition, reduces nuisance complaints, decreases shelter intakes, saves money and is popular with the public. Caretakers of feral or community cats are central to this approach. The main disadvantage is the conflicts that can arise between property owners and community cat caretakers. Under current Delaware law, the resolution to these conflicts is exceedingly difficult as ownership is defined in a number of different ways: in Title 3 concerning rabies, in Title 9, and in the Spay/Neuter law, which distinguished between owners and keepers as well as feral cats and feral cat caretakers, but did not enumerate their duties and responsibilities. Thus, there is not sufficient clarity in the law to resolve complaints.

Concluding the presentation, Mr. Smith made three recommendations that he would advise the Task Force to consider:

1. To clarify the Code to mandate a response for calls about sick/injured animals. There is no state-sanctioned body to call, and residents rely on volunteer groups. This conflicts with the State's interest in promoting animal welfare. Thus, the recommendation would be to expand Animal Control in this very limited way.
2. To revise owner/keeper language to include specific provisions to feral cat caretakers.
3. To recommend TNR as the State's official preferred management approach, as it appears to be the more effective method.

Questions from the Task Force were then briefly taken.

- Dr. Dawkins asked what other states are doing to manage their cat issues. Mr. Smith replied that typically Animal Control is the agency that responds to these issues.
- Hal Godwin requesting further explanation on the vacuum effect. Mr. Smith answered that TNR leverages the vacuum primarily through neutering, leading to a stable population that eventually drops due to attrition. Mr. Godwin suggested euthanasia would be a more effective way to stop reproduction. Mr. Smith said that while those animals will not reproduce, those that remain behind will. Mr. Godwin noted that this assumes all cats are spayed and neutered, and Mr. Smith agreed that the goal is reaching the tipping point of having spayed and neutered enough of the cats in the community. Mr. Godwin also wanted to clarify why the cost of euthanasia was more than that of spay/neuter procedures. Mr. Smith reported a track record of volunteer veterinarians willing to donate the spay/neutering service. Mr. Godwin indicated it may be difficult for a state to take advantage of free voluntary services.
- Mr. Petit de Mange asked about two recommendations, first whether it would be a mandate to have Animal Control respond to sick and injured cats and the second on TNR. Mr. Petit de Mange stated that if it were to be a systematized program rather than a volunteer effort, a fiscal analysis would be needed if TNR programs and mandated response were to be recommended. Becky Robinson noted that some states have done this fiscal analysis, and Miami Dade is a county-level example. Mr. Petit de Mange said that there would also need to be a budget for TNR. Mr. Smith said that there are a number models being used, which Alley Cat Allies will review in their presentation.
- Hetti Brown offered a local example in Harrington, Delaware, where she and Delaware SPCA have done a lot of work. The population of the town is about 3500 and over the summer the town estimated that it had about 600 cats living outdoors, some feral and some stray. The town did its own trap and kill/remove program for ten years. However, after ten years, the Public Works administrator asked for help because there were more cats than ever. Now they have implemented a town-wide TNR system. Senator Blevins noted that Delaware does have a spay/neuter fund based on a rabies surcharge, with 25% going to feral cats, and that Task Force member Kathy Gallagher manages this program.

3. Presentation from Alley Cat Allies

Presenter Will Gomaa introduced himself, specifying that he is an attorney with Alley Cat Allies; he also wanted to recognize Becky Robinson, the President of the organization, who was also present. He thanked the Task Force for having them to talk about TNR and feral cats. To give some background on Alley Cat Allies, Mr. Gomaa informed the audience that it was probably the oldest national group dedicated to feral and stray cats, and it has been in existence since 1990.

Mr. Gomaa noted that nationwide the majority of feral and stray cats are killed. Though the numbers are better in Delaware, cats are two times as likely to be euthanized as dogs, based on 2011 statistics. One jurisdiction that implemented TNR found that it not only reduced strays coming in, but also lowered owner-surrenders as well. If

many of these cats were diverted to a TNR program, the euthanasia rate would really drop. Public sentiment also falls in favor of TNR. Alley Cat Allies did a survey in 2007 on Americans' attitudes about stray and feral cats with national pollster Harris. Of the respondents, 81% believed that it is more humane to leave a cat where it is rather than to remove it and kill it.

Mr. Gomaa reviewed the function of the vacuum effect in a desirable territory, and noted that Mark Kumpf of the National Animal Control Association (NACA) said that he knows of no Animal Control department that has the money to trap and kill over and over again. NACA now has policies supportive of TNR.

In addition to trapping and neutering, TNR usually involves eartipping, which can be overlooked. Notching the tip of the left ear when the cat is still under anesthesia once it has been vaccinated and spayed/neutered is a strategy used to identify a community cat at a distance, allowing volunteers to know which cats still need to be trapped for neutering and vaccinations.

Mr. Gomaa then enumerated the benefits of TNR, and presented two studies that show it can reduce cat populations; one study was done at the University of Florida, and one at North Carolina State. The University of Florida study was a long-term, 11-year study that found a 66% reduction in the cat population on the campus over the 11 years. The North Carolina State study is one of few case control studies. It was performed over 2 years with neutered and control groups, with the neutered group reducing in population by 36% vs. a 47% increase in the control group.

Mr. Gomaa states that TNR also improves cats' lives, eliminating the stress of mating and pregnancy for females, reducing the likelihood to fight for males, and all TNR programs in this region include vaccinations. TNR improves relations in communities, as there are no more kittens, and thus a reduced volume of calls to Animal Control. Mating behaviors can be objectionable, as they include spraying, yowling, and fighting; neutering addresses these behaviors. Shelters also report lower unnecessary euthanasia rates, better staff morale and energy for positive programs, and lower rates of disease.

Mr. Gomaa reported that there are 350+ localities using TNR in the U.S. and 275+ TNR organizations or non-profits, in addition to shelters or individuals or non-registered organizations involved in the practice. He described three different local jurisdictions' experiences with TNR:

- In *Jacksonville, FL* the city put together a "Feral Freedom" program in August 2008, which was a partnership with a local nonprofit to find and neuter feral cats, then return them. They saw owner surrender go down from approximately 2700 to 700 from 2007-2011, as well as reduced stray intake, and a euthanasia rate reduced from 70% to 30%. Nearly 10,000 more cats are being saved each year. There were also reduced worker compensation claims, as there were fewer cats for the shelter workers to handle, and reduced disease, such as upper respiratory infections.
- *San Jose, California* adopted a similar program, and promotes TNR with the public. They have a spay/neuter clinic open three days a week, which Mr. Gomaa advised could be used as a great base on which to build. Results were 20% fewer intakes, with euthanasia down 40%, and improvements in employee morale.
- In *Fairfax County, Virginia*, shelters were often burdened with kittens, and they saw a sharp reduction in the kitten intake after TNR was implemented, seeing about half as many kittens.

Mr. Gomaa noted that statewide legislation can provide incentives to communities and help to overcome barriers. Two states that have legislation on TNR are Illinois and Utah.

- *Illinois*: Anna's Law, enacted in 2005 (and applying to both cats and dogs), had three main goals: population control through neutering, provision of vaccinations and incentives, and to protect caretakers and veterinarians. A key component is that caretakers can access the Spay/Neuter Fund. The law defined caretakers as non-owners and feral cats as inclusive of farm cats so they may access state funding. Anna's Law exempts caretakers from civil liability as an incentive.
- *Utah*: The Community Cat law was passed in 2011 and its goals were to reduce barriers to existing TNR programs, to authorize innovative programs like the Jacksonville "Feral Freedom" events that were technically illegal due to a three-day holding requirement, and to protect community caretakers legally. Definitions of caretakers and community cats are provided again; Mr. Goma noted this is an important part of any state law. To qualify as caretakers, individuals must have spayed/neutered cats in the past. This incentivizes people to meet the qualification. No licenses or feeding bans are included, as they get in the way of TNR.

Questions and comments from the Task Force and invited guests were taken.

- Mr. Petit de Mange asked about the incentives offered in Illinois; Mr. Goma clarified the incentives were protection from liability, and the availability of the Spay/Neuter program. By defining feral cat caretakers separately, the requirements are clarified, so they cannot be cited for abandonment.
- Becky Robinson spoke briefly about the process many veterinarians are going through, stepping back from the shelter management practices that they have used for years. She noted that Dr. Kate Hurley of UC Davis is now advising shelters to take euthanasia off the table for healthy cats. Though TNR is counter to 100 years of practice, things are really changing.
- Kevin Usilton noted that Delaware does not have an open access shelter for cats. Therefore, if shelters are full, they do not take a new cat. If people find stray cats or do not want their cats, there is nowhere to take them in the State. Senator Blevins noted this is one of the State's main challenges. Mr. Usilton stated that as a consequence of the Shelter Standards law, there has been a change in the number of cats coming into shelters. Senator Blevins stated that she disagreed; there may be fewer cats being taken in, but it would not be due to the Shelter Standards law.

4. Presentation from Tri-State Bird Rescue

Lisa Smith introduced herself, noting that her degree is in biology, and is a lifelong cat lover. She shared her perspective as a wildlife rehabilitator. She explained that Tri-State Bird Rescue is a non-profit that was formed in 1976 in response to a series of oil spills in the Delaware River that killed tens of thousands of birds. Since 1982, they have had a clinic to treat injured and orphaned wild birds. In the past 15 years they have about 2500 admissions per year, but it was closer to 2700 this year, and over 3000 oil affected birds. They have two veterinarians on staff, three professional wildlife rehabilitators, a volunteer manager, and over 200 volunteers that have put in over 20,000 hours of service returning wildlife to its habitat.

Since 1985, Tri-State Bird Rescue has kept records of their caseload. The goal is to analyze the composition of the case load and identify trends. Data capture records species, type of injury, and cause if can be determined. The major trend they have seen is that 60-70% of birds are injured due to human activity. Oil spills, pesticides, habitat loss, vehicular trauma, and lead poisoning are some examples. On average, about 10% of the birds have been attacked by a cat, which is fairly steady over the years; cat attacks covered from 9.95% of injuries in 2008 to 11.32% in 2012. The total number is small, as it only covers birds brought in and requires that the bird be alive after the cat attack, and that there is an observer nearby who is aware of Tri-State's services.

The types of birds they see are generally songbirds. Wolf's paper noted that many birds that are attacked have poor health; yet, over the past 5 years, Tri-State has seen that most cat attacks target younger birds, not necessarily those in poor health. Tri-State's data shows that 67% of intake were fledging and nestling birds. Furthermore, when adult birds are killed during breeding season, younger birds are made vulnerable.

While we do not know how much of an impact cat predation has, Ms. Smith asserted that it is not a negligible impact and that it will increase in severity if nothing is done. Ms. Smith's recommendations were to consider the effects free roaming cats have on native wildlife, and include a provision for public education on the value of keeping cats inside. She noted that while she understands cats can live outdoors, she is not sure that they should. Tri-State promotes educating the public to keep cats indoors.

One question from the Task Force followed.

- Hetti Brown thanked Lisa Smith for her presentation and asked if there was a way to distinguish cat attacks from other animal attacks, and what percentage of animal attacks are from cats. Ms. Smith responded that Tri-State has that data but she had not analyzed it for her talk. She indicated that cat bites were distinctive in pattern and pretty diagnostic. Ms. Brown also asked whether there were large rehabilitation centers near feral cat colony areas that had tried TNR, as it would be interesting to see if cat attacks were reduced if it reduced the cat population. Ms. Smith said that this might not follow as many cat attacks are done by owned cats.

5. Delaware Wildlife Rehabilitative Association Presentation

Hilary Taylor of the Bear Station of the Delaware Wildlife Rehabilitative Association spoke next. She averages over one thousand animals a year, plus reptiles and exotics. She does not deal as much with feral cats because 50-75% of the squirrels and rabbits that she rehabilitates have been brought in by owners of pet cats. Ms. Taylor utilizes volunteers and university students, and registers animals through a card system so they can be returned to the location of their original habitat.

Another problem that Ms. Taylor is concerned about is that volunteers working with feral cats often have not had rabies shots to protect themselves. She also felt that animals should be tested for rabies when they attack other animals, not just humans, a previous practice of the State.

Ms. Taylor also noted that people will get wild animals caught in private traps while trying to trap feral cats, and that game wardens are needed more now than ever for these situations. She also suggested the public be educated to use breakaway collars with bells and special collars to prevent cat attacks on wildlife.

Questions from the Task Force were then briefly taken.

- Senator Peterson asked what the Task Force can do and what the state can do to help address her concerns about wildlife. Ms. Taylor responded that she would like to see public education and to have groups work together. One suggestion was to produce a directory to improve referral systems.
- Senator Peterson asked Ms. Taylor to review the euthanasia issue she had spoken with her about in the past. Ms. Taylor explained that her group is not legally allowed to put animals down and has always relied on the SPCAs. While the DESPCA has helped them for years, Kent County SPCA has recently refused to pick animals up for euthanasia, so some accommodation was requested.

6. General Discussion

Senator Blevins reviewed the topics discussed, and noted that they focused on wildlife and TNR. She specified that there are other cat issues, such as the fact that if a dog kills a pet cat, it is not covered by Dangerous Dog statute. When the law was passed in the mid-1990s, the legislature could not get that provision included because there were arguments that it is in dogs' nature to hunt cats. She hopes to make progress in this area and wanted to put it forward for discussion.

Dr. Hughes asked the Alley Cat Allies representatives for examples on how to differentiate for the public that the owned cat requires more care and responsibility than is required of caretakers of feral cats. She suggested that TNR may represent a catch-22 for both veterinarians and Animal Control as people claim they are only caretakers when they bring the cat in because they do not want to take on the ownership responsibilities for rabies, etc. Ms. Robinson replied that part of these programs as they were applied in Washington D.C. was to educate the community, to identify cats in the colony and to invite caretakers to participate by providing free spay/neutering vouchers. In 18 months, 2000 cats were spayed and neutered; about a quarter were owned cats, many of which had previously been taken in from the feral cat community. This represents a much larger number than cats that could be adopted out. By providing education, interaction, and support, these programs greatly mitigate issues with the public. Thus, when TNR increases, owner-owned neutering rates will as well due to awareness being raised.

Mr. Petit De Mange commented that in Kent County's rural areas, cat dumping is a major problem for farmers. Senator Blevins noted that there is a question of whether this should be a crime. Ms. Taylor felt that it should be illegal because it is cruel. It was noted that more clarity in the law would be helpful here, and that there is an issue with promoting responsible pet ownership. Ms. Taylor said that there should be a public campaign with the catchphrase "If you can't afford the vet, don't buy the pet."

Chris Motoyoshi noted that all the shelters are providing low cost TNR, which can be made free for some, such as farmers. Funding for adoption and a system for adoption are often part of this management technique. Delaware SPCA does do pick-ups for wounded cats.

Hetti Brown gave two examples of municipal/state government utilizing TNR. One is Austin, TX, which has a county contract set up with a TNR organization. The second example is Connecticut, which has a state-administered grant program to provide free TNR services. Ms. Brown agreed that free services are critical to these types of programs.

Patrick Carroll informed the Task Force that Delaware Humane Association received funding from PetSmart to provide free spay/neuter services to 1500 cats over the next year in the 19801 zip code. Mr. Carroll asked that meeting attendees spread the word about the availability of this service. Ms. Robinson noted that the PetSmart program was based on the Alley Cat Allies program in Washington, D.C. and that mapping was an important aspect, as there are some areas that do not require help with the cat population.

Before opening the discussion to public comment, Senator Blevins reminded the Task Force that the next meeting would be on February 21, and the topic would be regarding consolidation and coordination of services. She noted that very few seem to like the current system, but that an ideal model should be identified.

Senator Blevins also noted that the following meeting in March will be the last meeting, where the Task Force will discuss its recommendations. The beginning and end of the report will be drafted and the middle with the

recommendations will need to be filled in. The recommendations made through meetings and hearings so far will be compiled, reviewed and debated. If there is a difference of opinion, the Task Force will vote. Thus, the March meeting will be key to the final report. If there are recommendations that have not been discussed, they can be emailed to Carling for inclusion.

7. Public Comment

Carol Allston-Stiles, a local business owner, shared her experience working in a location that had a large feral cat community. Many cats were fighting regularly and were consequently hurt and in pain while others were pregnant and having their kittens in the parking lot. The latter issue led to kittens frequently being killed by cars in the lot. While she and other employees fed the cats, and she herself put great effort into bringing them home, neutering then and adopting them out, it was while volunteering with Faithful Friends on the weekends that she learned about TNR. With Faithful Friends, they trapped 27 cats, spayed/neutered and ear-tipped them. While she no longer works in the same location, she has kept up with the population and after the application of TNR, the number of cats is now quite low, and no longer produces kittens.

Donna Watson suggested licensing cats, just as dogs are licensed. She suggested that the additional revenue produced by such a program could help pay for some of the services that are made free to the public, while also assuring that veterinarians can be properly paid for their work. Ms. Watson also provided an update on her group of 11 owners who have lost their dogs, including her own dog Rudy. The dog that had been missing the longest, Noel, recently was returned home after a car accident, which has renewed her hope for finding Rudy.

Anita Wollison explained that she has a neighbor who has lured, trapped, and dumped five of the partially owned/partially feral cats in her community. This is a gray area and clarity is needed in the law. Ms. Wollison noted that she thinks of these activities as theft of personal property, as animal cruelty, and believes it results in more bird kills. Animal Control Officers have spoken with the neighbor and he is on the radar of several shelters, but due to the ambiguity in the law, nothing can be done.

Mark Martell, a former President of the Delaware Humane Association and the current President of the Delaware Audubon Society (DAS), asserted that DAS officially disagrees with TNR. Mr. Martell specified that he believes that the cat population is fully a function of the human population. Regarding the Alley Cat Allies presentation of their research on public support for TNR, Mr. Martell argued that the public should be asked the question in terms of whether it makes more sense for the songbird or the feral cats to die. Mr. Martell also listed a number of groups against TNR, including the American Ornithologists' Union, the American Association of Wildlife Veterinarians, International Association of Fish and Wildlife Agencies, the National Association of State Public Health Veterinarians, and the Cooper Ornithological Society. He specified that all of these groups advocate for free-ranging cats to be trapped and euthanized, unless they are young and adoptable. He argued that Cape May is a good example of a place where the public knows that feral cats are proudly welcomed, but may not know the high degree of predation of songbirds like the Piping Plover, which is on the endangered species list. Mr. Martell noted that the Delmarva Ornithological Society is willing to put some information into the record once their conservation committee has a chance to meet. Senator Blevins said that Mr. Martell is welcome to follow up his comment with that information. Mr. Martell closed by stating that he will lobby against public funding to promote TNR.

Peter Siracuse spoke about an animal control officer complaint he filed against the City of Dover and the KCSPCA, and he wanted to make the group aware of his experience. When his Lhasa Apso, Zoe, was impounded

after a call he made for help with what appeared to be aggression related to a false pregnancy, he was coerced into signing the dog over to the responding Animal Control officer. Mr. Siracuse reported that the officer threatened him with arrest if he did not sign the paperwork. After the stuffed animals that Zoe had become attached to were removed, Mr. Siracuse went to the shelter to retrieve his dog about two hours later, and he learned Zoe had already been euthanized. He was told she was aggressive, even though she weighed less than 20 pounds. Mr. Siracuse faced further difficulties when he tried to rescue another dog from the shelter, a Shih Tzu/Maltese mix. He left a \$20 check as a deposit for the dog, which he was told would be held. Yet when he returned, the check had been cashed and the dog was no longer available. When he decided just to adopt from PetSmart, he was told by the staff that the KCSPCA had determined he should not be allowed to adopt another dog due to his language at the shelter. Mr. Siracuse held that he had not spoken inappropriately and that he knows how to be professional. Senator Blevins noted that the Task Force does have a copy of his complaint letter which will be put in the public record.

Cathy Samardza stated that as the Task Force draws its work to a close, she wanted to highlight public requests made for monitoring and oversight of the shelters and Animal Control Officers beginning in January of 2012; she noted that she and others had been disappointed by the response from public officials at that time. It was suggested in one meeting that requiring certification of the shelters could lead to the creation of a regulation board to handle complaints. While she thinks certification is a great idea, she wanted to point out that many of the professional boards only convene a few times a year and complaints regarding animal welfare and control are often more urgent than that, especially when euthanasia is involved. Regarding euthanasia, Ms. Samardza feels that a definition of 'unadoptable' should be developed and included in the euthanasia portion of the law. She added that temperament tests should be defined according to best practices across the country, and that training should be required to apply them. Ms. Samardza specified that she does not think it appropriate for Animal Control Officers to only be accountable to their nonprofit board of directors, as suggested by one Task Force member at a previous meeting. She advised that difficulties faced by shelters in addressing all animal complaints could be addressed by removing responsibility for Animal Control from the shelters. Ms. Samardza felt that it is important for the Task Force to hear complaints so as to help them understand what is working and what is not, and that the comments of the shelter that has argued against some portions of the shelter standards law should be put into perspective. On the subject of feral cats, Ms. Samardza stated that a U.S. Department of the Interior Report found in 2011 that cats are not the main factor in the declining bird population, and that the four studies she could find on bird kills all focused on habitat loss as the central issue.

8. Adjournment

There being no further business of the Task Force, a motion was made to adjourn. There was no objection, therefore the motion was adopted and the meeting was adjourned at 4:33 p.m.